

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 12272

PERMIT 7161

LICENSE 3558

ORDER ALLOWING CHANGE IN POINT OF DIVERSION
AND CHANGE IN PLACE OF USE

WHEREAS:

1. A petition for change in point of diversion and place of use authorized by License 3558 has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
2. License 3558 was issued to S. W. Owen and W. E. Owen and was filed with the County Recorder of Butte County on June 6, 1952 (Serial No. 14658).
3. License 3558 was subsequently assigned to Clifton Shifflet.
4. The Board has determined that this change in point of diversion and place of use will not operate to the injury of any other legal user of water involved.

NOW, THEREFORE, IT IS ORDERED:

1. That permission is hereby granted to change the point of diversion under said license as follows:

AT THE CENTER OF SECTION 29, T18N, R2E,
MDB&M, BEING WITHIN NE $\frac{1}{4}$ OF SW $\frac{1}{4}$ OF SAID
SECTION 29.

3

Application 12272
Page 2

2. That permission is hereby granted to change the place of use under said license as follows:

126 ACRES TOTAL, LOCATED NORTH OF BELDING
LATERAL, AND BEING WITHIN SW $\frac{1}{4}$ OF SECTION 29,
T18N, R2E, MDB&M, AS SHOWN ON MAP FILED
WITH STATE WATER RESOURCES CONTROL BOARD

Dated:

MAY 10 1974

R. L. Rosenberger

R. L. Rosenberger, Acting Chief
Division of Water Rights



STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

License for Diversion and Use of Water

APPLICATION 12272

PERMIT 7161

LICENSE 3558

THIS IS TO CERTIFY, That S. W. Owen and W. E. Owen
1301 Locust Street
Gridley, California

Notice of Assignment (Over)

have made proof as of May 11, 1951
(the date of inspection) to the satisfaction of the State Engineer of California of a right to the use of the water of
an unnamed lateral in Butte County
tributary to Hamilton Slough (Reclamation District 833 Main Canal) thence Butte Creek

for the purpose of irrigation use.

under Permit 7161 of the Department of Public Works and that said right to the use of said water has
been perfected in accordance with the laws of California, the Rules and Regulations of the Department of Public Works
and the terms of the said permit; that the priority of the right herein confirmed dates from January 28, 1948;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed three (3) cubic feet per
second to be diverted from about April 15 to about October 15 of each year.

The point of diversion of such water is located due north one hundred (100) feet from
S $\frac{1}{4}$ corner of Section 20, T 18 N, R 2 E, MDB&M, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said
Section 20.

A description of the lands or the place where such water is put to beneficial use is as follows:

37 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, T 18 N, R 2 E, MDB&M
38 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, T 18 N, R 2 E, MDB&M
28 acres in NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, T 18 N, R 2 E, MDB&M
23 acres in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29, T 18 N, R 2 E, MDB&M
<u>126 acres total</u>

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the Department acting through the State Engineer in accordance
with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or
unreasonable method of diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from
time to time by the State Engineer.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion
herein specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the Department.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property can not agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Witness my hand and the seal of the Department of Public
Works of the State of California, this 29th
day of May, 1952



A. D. Edmonston
A. D. EDMONSTON, State Engineer

12-4-57 RECEIVED NOTICE OF ASSIGNMENT TO *Walter L. Owen*
3-22-73 RECEIVED NOTICE OF ASSIGNMENT TO *Clifton Shefflet*

LICENSE 3558

STATE OF CALIFORNIA—DEPARTMENT OF PUBLIC WORKS
DIVISION OF WATER RESOURCES
STATE ENGINEER

LICENSE
TO APPROPRIATE WATER

ISSUED TO S. W. and W. E. Owen

DATED MAY 29 1952